

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Wiley Y. Daniel

Civil Action No. 06-cv-00036-WYD-MJW

MICHAEL J. WARD,

Plaintiff,

v.

THOMAS SIEBEL;
THE SIEBEL LIVING TRUST;
JUSTIN DOOLEY
FIRST VIRTUAL MANAGEMENT, INC.

Defendants.

ORDER

THIS MATTER is before the Court on the Mandate of the Tenth Circuit, filed March 19, 2010 [#172], the Supplement to Mandate, filed March 19, 2010 [#173], and the Judgment of the Tenth Circuit, filed February 22, 2010 [#171]. Consistent with the Mandate, Supplement to Mandate, and Judgment, it is

ORDERED that the Clerk of Court shall issue an Amended Judgment in favor of Defendant Siebel Living Trust as to Plaintiff's third claim for breach of the covenant of good faith and fair dealing. It is

FURTHER ORDERED that pursuant to Fed. R. App. P. 39, costs are taxed in favor of Defendant Siebel Living Trust in the amount of \$712.20.

Dated: March 26, 2010

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge